

**JHS**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

Claire Michelfelder

2842 Bellview Drive

Bensalem, PA. 19020

(In the space above enter the full name(s) of the plaintiff(s).)

**14 0323**

- against -

ELIZABETH DONAHUE,

DENISE FRASBA

BETHANNE HABERMEHL

DAWN O'CONNOR

DANIELLE MEINEL

JOANNE BAYARD and

and et al., and

any new matter

COMPLAINTJury Trial: ☒ Yes ☐ No

(check one)

Jeanes Hospital, THHS

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State &amp; Zip Code

Telephone Number

Claire Michelfelder

2842 Bellview Drive

Bensalem,

Pennsylvania,

215-633-0388

19020

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name Elisabeth Donahue, Director, HR.  
 Street Address 7600 Central Avenue  
 County, City Philadelphia  
 State & Zip Code Pennsylvania, 19111

Defendant No. 2

Name Dawn O'Connor, Nurse Manager, 4A  
 Street Address 7600 Central Avenue  
 County, City Philadelphia  
 State & Zip Code Pennsylvania, 19111

Defendant No. 3

Name Denise Frasca, Chief Nursing Officer  
 Street Address 7600 Central Avenue  
 County, City Philadelphia  
 State & Zip Code Pennsylvania, 19111

Defendant No. 4

Name Danielle Meinel  
 Street Address 7600 Central Avenue  
 County, City Philadelphia  
 State & Zip Code Pennsylvania, 19111

(see attached)

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)
- ☒ Federal Questions ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? Constitutional rights of my daughter have been violated and my grandchildren's health and wellfair are at stake, and my daughters inability to take care of me. My daughter is Ellen Betz.

Defendant No. 5

Bethanne Habermehl,  
NURSE MANAGER 4B  
7600 Central Avenue  
Philadelphia  
Pennsylvania, 19111

Defendant No. 6

Joanne Bayard, Director, Clinic  
Nursing  
7600 Central Avenue  
Philadelphia  
Pennsylvania, 19111

Defendant No. 7

Jeanes Hospital, TEMPLE UNIVERSITY  
HEALTH SYSTEM  
7600 Central Avenue  
Phila., PA. 19111

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship N/A

Defendant(s) state(s) of citizenship \_\_\_\_\_

### III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Jeanes Hospital,  
Temple University Health System.

B. What date and approximate time did the events giving rise to your claim(s) occur? 3/30/13, 9/12/13, 9/19/13,  
10/24/13, 11/11/13, 11/19/13, 12/4/13, 12/6/13,  
1/3/14, 1/12/14, 1/14/14, 1/14/14.

C. Facts: Accusations of medication errors made  
by my daughter which were false

Coersion of other employees against my  
daughter by employer

Lost of ability of my daughter to take  
care of me and my disabled grandson.  
I am also disabled.

My daughter had to seek medical care  
due to extreme anxiety and panic attacks  
due to stress from constant harrasment  
from employer  
Loss of time due to anxiety and stress  
due to employer

Defamation of character of my daughter  
Ellen due to retiliation and harrasment  
of employer.

My Daughter was harrassed due to turning in  
sexually explicit photographs by other employees

What  
happened  
to you?

Who did  
what?

Was  
anyone  
else  
involved?

Who else  
saw what  
happened?

IV. Injuries: Panic attacks and extreme stress, anxiety of my daughter Ellen Betz.

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Panic attacks and anxiety, Chest pain, Shortness of breathe, inability of my daughter to take care of her disabled son and me. Inability to sleep and think properly. Went to see doctor for help. Spoke with Curbridge counselors. Punitive damages for 11 months of continuous harassment and retaliation.

V. Relief: \$500,000 from Temple University/Jeanes Hosp.  
\$250,000 from each defendant.

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

\$500,000 - from Jeanes Hospital for allowing this toxic environment and allowing their administrative staff to harass, intimidate, coerce and retaliate against my daughter.

Because of managements continual harassment and retaliation against my daughter she lost a better job that was offered to her due to their interference by putting in a written warning specifically to stop her from moving on.

\$250,000 from each defendant for their continued harassment and their part in ruining my daughters professional reputation and for their own retaliation and harassment which contributed to my daughter's inability to care for my grandson and me.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21 day of January, 2014.

Signature of Plaintiff

Mailing Address

Claire Meschery  
2842 Bellview Drive  
Bensalem, PA 19020

Telephone Number

Fax Number (if you have one)

E-mail Address

215-633-0388

N/A

N/A

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_

Subject: Fw: Dr. Kaiser Letter  
From: Ellen Betz (ellenbetz@yahoo.com)  
To: bill@wjfoxpc.comcastbiz.net;  
Date: Wednesday, December 4, 2013 10:24 PM

Ellen Betz, RN

2842 Bellview Drive  
Bensalem, PA 19020  
610-457-1207  
ellenbetz@yahoo.com

March 30, 2013

Dr. Larry R. Kaiser, MD. FACS  
Dean, Temple University School of Medicine  
Senior Executive Vice President for the Health Sciences  
President and CEO, Temple University Health System  
Professor, Surgery

Dear Dr. Kaiser,

I am a nurse at Jeanes Hospital. I have worked for Temple University Health System for 10 years, first at Northeastern Hospital, and then when they closed, I moved to Jeanes Hospital. I pride my work in nursing and am extremely thorough with my patients. I have received several letters on my excellent nursing care, one in particular from Linda Grass, CEO. The reason I am writing you is because I am extremely worried about a situation that has occurred at Jeanes in the past two weeks.

On Saturday, February 23, 2013, I was at work at Jeanes on floor 4A. On that day, they held a party for one of the nurses who had resigned to take another job. I was told it was going to be a lunch time celebration. That celebration turned into 3 ½ hours, with five people off and on the floor during the time. The person who was leaving was fighting with his girlfriend who also worked on the same unit, and then kissing and making up during the whole time, which was totally inappropriate. While this was going on, Tara Beissel (whom was recently fired) and I were answering all their call bells while taking care of our own patients. Tara developed an extremely bad migraine later in the afternoon, and was throwing up off and on for several hours. During her lunch break I had asked Tara to correct my grammar on a paper of mine that I had written for school. I was told by my manager that I needed to go back to school and earn my BSN because Jeanes was going to be requiring us all to have our BSN. When we finally got our lunch at 3:15 p.m. Tara did pull my paper up on the one computer we were sharing because one of the computers broke down. At that time a few of the nurses who had been partying came out front and asked what she was doing and we told them that she was just checking my paper during her lunch break, even though she was not feeling well. The supervisor from day shift made



her rounding and nothing was ever said to her that they thought there was any problem. Two weeks later, Tara Beissel was fired and I was called into the 4A manager's office and badgered several times by her when the Union Representative was called out of the office. When Tara was ill in the restroom, she asked me to give a couple of her patient's medications for her. I did so, and when I give out medicines for anyone, I check their allergies, the doctor's orders, and the results of their tests for because they were diabetics and that is what I am supposed to do. The nurse manager told me I was in trouble and that I had violated HIPPA. When I stated that I did not, that I am a thorough nurse and if it were my family member I would want the nurse to do the same thing that I did, she remarked, "Oh, you're that thorough" and then went on to accuse me of taking care of all of Tara Beissel's patients which is unsafe nursing practice. I told her that I did not take care of Tara's patients and that I documented everything I did, which was only give out medications to two of Tara's patients while she was in the bathroom suffering from gastrointestinal distress and vomiting. I had made a statement on Monday, March 4, 2013, which the nurse manager wrote everything down, and I told her I wanted to read it before I signed it, and I added a few lines to clarify what she said. I asked her to read it again, and also for a copy of the statement and she refused and said I was not entitled to it. This untrue, as anytime you sign your name to a statement they are legally bound to give you a copy. I also wanted to read it over a second time, because I was uncomfortable because she added things to the paper and I wanted to see what it was. She called me in for another meeting, telling me that this is what Human Resources wanted her to do, and that it was out of her hands. When I did not write what she wanted, she grabbed the paper from me, and threw it aside. I never signed this statement. This nurse manager was bullying even with the union representative in the room but much more when the union representative was called out by a doctor twice for patient care. She used scare tactics, telling me I was in trouble, and intimidated me as much as she could while the representative was out of the room trying to make me admit to something I did not do. I was told by other staff to watch my back, as this is now a witch hunt because I did not do what she wanted me to do, and because of this, they will be looking to fire me shortly. This is apparently a common practice on 4A at Jeanes with the particular click that is known for getting nurses fired because they do not want them on their floor. This happened to two other people that I know.

These nurses made false statements using my name, and those statements caused another colleague to be fired, and they tried to fire me, but I do my work and take pride in my patient care and safety practices, so therefore they could not find anything to fire me for. I know it is a matter of time, because of the way I was treated by management. I now go to work walking on egg shells. When I told the nurse manager about the party, and the inappropriate carrying on that went on, she said she didn't care. I asked why if it was such a problem, that the nurses who complained and used my name in their complaints against Tara, did not call the supervisor that day, and why it took them two weeks to address the situation, she refused to answer. I also told her that there was another nurse there on the floor who was complaining about a headache and bragging that she was up until 2:00 am drinking straight Jack Daniels, and she was hung over. Again, the nurse manager didn't care. She did admit that she knew they had a click, and that they are tough on people. This was obviously a very calculated plan by the nurses, both day and night shift (and how nightshift got involved I'll never know as they were not there for any of this), and no matter what they did it was okay. I am very upset that my reputation has been tainted by these unprofessional trouble makers. I am not taking this lightly. I want every statement in which



**Subject:** Fw: Urgent HR Concern Jeanes  
**From:** Ellen Betz (ellenbetz@yahoo.com)  
**To:** Shara323@aol.com;  
**Date:** Monday, March 11, 2013 11:18 PM

----- Forwarded Message -----

**From:** "Mahoney, Caryl" <Caryl.Mahoney@tuhs.temple.edu>  
**To:** 'Ellen Betz' <ellenbetz@yahoo.com>  
**Cc:** "Kaiser, Larry" <Larry.Kaiser@tuhs.temple.edu>; "Grass, Linda J." <Linda.Grass@tuhs.temple.edu>; "Donahue, Elisabeth" <Elisabeth.Donahue@tuhs.temple.edu>; "Woods, Brenna" <Brenna.Woods@tuhs.temple.edu>  
**Sent:** Monday, March 11, 2013 12:32 PM  
**Subject:** RE: Urgent HR Concern Jeanes

Ellen,

I received copies of your letters and I am taking the appropriate steps to look into your concerns.

Caryl Mahoney  
Interim VP HR

**From:** Ellen Betz [<mailto:ellenbetz@yahoo.com>]  
**Sent:** Monday, March 11, 2013 11:28 AM  
**To:** Mahoney, Caryl  
**Subject:** Urgent HR Concern Jeanes

Ms. Mahoeny,

Please see the two letters attached so that you can be apprised of what has occurred as Head of Temple University Health System Human Resources. The original letter was sent to Dr. Kaiser, as was the addendum. Copies were sent to the head of HR at Jeanes, the CEO of Jeanes, and my union representative at PASNAP, who advised me to do so. Thank you for your time and consideration.

Ellen Betz

---

This electronic message is intended to be for the use of the named recipient, and may contain information that is confidential or privileged. This communication may contain protected health information (PHI) that is legally protected from inappropriate disclosure by the Privacy Standards of the Health Insurance Portability and Accountability Act (HIPAA) and relevant Pennsylvania Laws. You can direct questions concerning PHI or HIPAA to the Corporate Compliance and Privacy Officer at (215) 707-5605. If you are not the intended recipient, please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, you should notify the sender immediately by telephone or by return e-mail and delete and destroy all copies of this message.

**Subject:** RE: Important message  
**From:** Woods, Brenna (Brenna.Woods@tuhs.temple.edu)  
**To:** ellenbetz@yahoo.com;  
**Date:** Wednesday, March 27, 2013 11:02 AM

Ellen,

I was unavailable yesterday evening when you called but would be happy to talk with you today at 12 pm or at 2 pm if you would like to talk further about the below information. When we spoke yesterday afternoon, I let you know that I was in process of contacting the list of employees you stated had information relevant to the investigation. I also let you know that I would follow up with Jeanes HR to find out more about an opening on 3C for you but could not guarantee the outcome.

I'm sorry to hear how stressed you are feeling and want to remind you about our employee assistance program Carebridge (1-800-437-0977). Also, I know we spoke about it before and you were not interested at the time but I also attached FMLA paperwork just in case.

Please let me know if either of the times I gave you above would be a good time to talk with you. If for any reason I miss your call in the future, let me reassure you that I will return it as soon as possible or that you can email me anytime.

I will continue to keep you updated on the status of the investigation and let me know if there is any new information I need to know.

Thanks!

Brenna Woods  
Manager, Employee Relations  
Temple University Health System  
215-707-1971

**From:** Ellen Betz [mailto:ellenbetz@yahoo.com]  
**Sent:** Tuesday, March 26, 2013 9:29 PM  
**To:** Woods, Brenna  
**Subject:** Important message

Brenna,

As of November, I will be in the Temple Hospital System for 10 years. I have been a loyal good employee. Coming to Jeans almost four year ago from Notheastern, which was a very good place to work, I have been used as a pool nurse even though I was a staff nurse. I never gave anyone a problem about it even though every unit I went to assigned me with the heaviest and worst patients on the unit. The only time I ever complained was once when I was assigned to the ER after being there many times and was always used like an aid. I called Maria and complained and she said she understood, and told me I was a good nurse. When 2C closed I was moved to 3C and was told that I was a part of that unit. A couple of months later, we (the 2C nurses) were then told we were not a part of the 3C staff. During all this time I was sent all over the hospital to fill in for staffing shortages. Even after we were told that we were not a part of 3C I was still allowed to be charge nurse and also

# JEANES NURSES UNITED



Pennsylvania Association of Staff Nurses & Allied Professionals

DECEMBER 6, 2013

## Executive Board

Debbie Bilse – OR  
Chrystyna Chareczko – ER  
Angela Cleghorn – ICU  
Colleen Dunn – SPU  
Lina Madres – 4B Tele

## Nurse Reps

Maria Bouikidis – ICU  
Sue Cleary – ER  
Debra Cushine – ER  
Kathleen Hofmann – PACU  
Lauren Kowalick – ER  
Barbara Larmour – IR  
Peggy Lawler – PACU  
Christina Pagano – 3C  
Antoinette Slemmer – 3C  
Shara Smith – ER  
Erin Brigitte Waldron – 4B Tele  
Catherine Wasylenko – SPU  
Sandra West – 4A

## **JNU General Membership Meeting**

Date: Monday, January 20th

Location: Friends Meeting Hall

Time: 7:45a, 3:30p, 7:45p

## **Recent Grievance Victory – Nurse Discipline Overturned**

We recently won an important grievance victory for a nurse who was improperly disciplined. The officers of the Union and the nurse involved believed strongly that the nurse had been disciplined in retaliation for speaking up on behalf of a co-worker and raising concerns about her own treatment by management. The nurse was given a written warning approximately a month after the incident that the discipline was based on, and, not coincidentally in our view, the day before she had an interview for a job at Temple Hospital. After waiting for a full month, nursing management rushed to get her discipline in the day before her interview, thereby blocking her transfer to Temple. There is a systemwide policy which blocks transfers within the system if you have an active written warning.

A Step One grievance discussion was held with the nurse, her union representative, and her manager. A number of questions were raised about the discipline, including that there was no clear proof that any error had been committed, that the timing of the event and subsequent discipline right before the job interview was very suspicious, and, that the discipline was for a medication error, and Jeanes Hospital policy Number P.23, “Patient Safety Improvement and Management Plan: Our Culture of Patient Safety” adopts a non-punitive approach to medical errors. The policy states:

“In order to have an effective patient safety improvement and management program, there must be an emphasis on reporting all types of events that may harm or have harmed patients. Jeanes Hospital has adopted a non-punitive approach in its management of adverse events and reporting. All members of the medical staff and employees are required to report suspected and /or identified medical errors and should do so without fear of reprisal in relationship to their employment. Jeanes Hospital focuses first and foremost on system/process improvements and will not blame the individual(s) involved in the event or seek retribution against the individual for reporting the event.”

This policy is similar to a “Just Culture Community Model” of dealing with medical errors and other adverse events, recently agreed to by Temple Hospital as part of the recent contract negotiations with the Union there. Issuing a written warning for a medical error flies in the face of such a policy.

We requested that the discipline be heard directly at Step 3, since we felt that nursing management had been responsible for the discipline and would not give a fair hearing. While the Hospital did not agree to waive Step 2, they

*(continued on next page)*

grievance response at this Step, the discipline was overturned.

brought in a representative from Risk Management to hear the grievance in lieu of nursing administration. In the grievance response at this Step, the discipline was overturned.

While we are pleased with this result, unfair discipline and targeting of staff by some managers has been a pattern at Jeanes Hospital, and it is something we have raised with upper level management in the past. It is something that we must remain vigilant against, and fight whenever and wherever it occurs. It is unclear whether the result in this case represents a commitment by the Hospital to dealing with this pattern of unfair treatment, and to following their own policy of non-punitive approach to medical errors going forward. We shall have to see. However, this raises the importance of getting language into our contract similar to the language at Temple main which insures that the Hospital follow a "Just Culture" approach.

## **Contract Campaign for 2014: JNU Contract Survey and Bargaining Committee**

**JNU 2014 Contract Survey:** In January, contract surveys will be distributed throughout the hospital and mailed to all members. The contract survey addresses terms and conditions of employment such as patient safety, staffing, equipment, education and all economics issues. The results of these surveys provide the bargaining committee with insight into issues all of our co-workers are experiencing on a daily basis and how members would like them addressed during contract negotiations. It is important that everyone fill out a contract survey so the results accurately reflect the memberships' desired priorities for contract negotiations. Contract surveys will be handed out at the January 20th membership meeting. Once distributed, contract surveys can be filled out at the hospital during non-work time and handed back to union officers, nurse reps or staff reps.

**Bargaining Committee:** We will be electing our bargaining committee in February. All departments should elect a bargaining committee member from their unit. It is important to elect a co worker who is reliable and will represent the needs of the entire department at the bargaining table. Jeanes/TUHS administration will work with managers to release elected bargaining committee members from work in order to attend predetermined bargaining sessions. Once elected, the committee will meet and discuss the dates and time for bargaining that work best for the committee. As always, all members are welcome and encouraged to attend JNU bargaining sessions as well.

## **JNU/Temple Tuition Reimbursement Benefit**

Recently there have been rumors that the TUHS tuition benefit for nurses and their dependents changed mid-contract. This is not true, and the benefit remains the following:

### **TUHS Tuition Reimbursement Policy Summary:**

*Remission – the arrangement between TUHS and Temple University to offer TUHS' eligible employees tuition remission for their Eligible Dependents of up to (6) credits per semester at the eligible Dependent's home school or college at Temple University.*

*The remission under this policy is applicable to normal cost-per-credit of Pennsylvania in-state tuition only. The student/employee is responsible for all other fees and costs including, but not limited to, out-of-state tuition balance, room and board, books, activity and course related fees.*

- A. It is the policy of TUHS that its subsidiary corporations follow a uniformly established tuition remission policy for its employees.*
- B. Remission is limited to the Eligible Dependent(s) of Eligible Employees. Remission is not available for the dependents of part-time employees, or for otherwise Eligible Dependents not enrolled in a Full-time Undergraduate Degree Program at Temple University.*
- C. Remission is limited to the earlier of completion of: The Eligible Dependent's undergraduate degree, or (10) semesters of full-time undergraduate study at Temple University. The combination of courses taken at Temple or other approved schools (remission or reimbursement under previous policies), are counted together to*

<b>CHARGE OF DISCRIMINATION</b>		AGENCY	<b>CHARGE NUMBER</b>
This form is affected by the Privacy Act of 1974; See Privacy act statement before completing this form.  <b>Pennsylvania Human Relation Commission</b>		<input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
NAME (Indicate Mr., Ms., Mrs.) Ellen Betz STREET ADDRESS 2842 Bellview Drive <small>NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below)</small>		HOME TELEPHONE 610-457-1207 DATE OF BIRTH 1/27/61	
CITY, STATE AND ZIP CODE Bensalem, PA 19020 NAME Temple Health Systems STREET ADDRESS 7600 Central Avenue		NUMBER OF EMPLOYEES 50+ CITY, STATE AND ZIP CODE Philadelphia, PA 19111 TELEPHONE (Include Area Code) (215) 707-1800 COUNTY Philadelphia	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input checked="" type="checkbox"/> SEX</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> OTHER</div> </div>			DATE DISCRIMINATION TOOK PLACE EARLIEST      LATEST (ALL) June 2012      Ongoing <input checked="" type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s):  <p>I, Ellen Betz, hereby bring this Charge against my current employer, Temple Health Systems (hereinafter "Respondent"). I was hired in or around 2003 as a Registered Nurse at Respondent's Northeastern Hospital, until it closed. In or around June of 2009, I and some other nurses were transferred to Respondent's Jeanes Hospital.</p> <p>The work environment at Respondent's Jeanes Hospital was and is offensive on a sexual level. Nurses express themselves in inappropriately sexual ways, which offends me and undermines the professional atmosphere of the hospital. For example, nurses at Respondent's Jeanes Hospital joke and play with each other by groping or pretending to grope each other's breasts and genitals. Nurses and Certified Nursing Assistants ("CNA's") who transferred from Northeastern Hospital, including me, were and are shocked by the behavior of said nurses, which behavior is condoned by management.</p> <p>In or around March 2013, I and a recently terminated Registered Nurse reported to management a series of sexually suggestive photographs exemplifying the offensive behavior certain nurses engage in on the hospital floor. In or around May of 2013, I met with Jacqueline Nardi, Respondent's Corporate Human Resources Operations Associate, to discuss the photographs. Although the meeting and its subject were meant to be "confidential", the day after the interview I discovered that my coworkers had found out about my complaint. I was blocked on Facebook by those involved with the offensive photographs, and from then on their behavior towards me became very hostile. In or around June of 2013, certain nurses and other employees on my floor began to play pranks on me in retaliation for my complaints about the photographs, such as throwing my lunch in the garbage and pouring cranberry juice on it. Further, all through the hospital I overheard my coworkers refer to me as "snitch" and "rat". I also received a threatening anonymous voicemail stating <i>"You think you're so smart. You picked the wrong side. When we want someone gone, they're gone. You're next"</i>. I complained to Brenna Woods, Respondent's manager of employee relations, and to Respondent's corporate office, but no action was taken to investigate the matter or</p>			

remediate same.

With the assistance of Ms. Woods I applied for a new position at another hospital within Respondent's network. On or around August 6, 2013, I was accused by Respondent's Nurse Manager Danielle Meinel of committing a medical error in June, an entire month earlier. I explained and demonstrated to Ms. Meinel that I did not commit an error. On September 10, 2013, I was interviewed and offered the new position. However, on the day after the interview I was told that I was disqualified for the position due to a written discipline about the alleged medical error. Retaliatory behavior continues to this day, causing me to fear for my job security.

I therefore allege that I have been subjected to a sexually hostile work environment and retaliation for my complaints of same.

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone Number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 1/14/14 Charging Party: Ellen Bly

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

/s/

SIGNATURE OF COMPLAINANT

DATE

Sworn to and subscribed to before the undersigned notary public in and for said jurisdiction this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

My commission expires: / /

Notary Public

EEOC Form 5 modified



www.facebook.com/photo.php?fbid=3491212558766&set=a.13693624

User Log In

TUportal

Blackboard Learn

Cannot Open Page

Beethoven, Ludwig...

x (3) Mobile Uplo...



do.....

June 1, 2012 at 5:05pm Like 1

**Dana Seniw Jablonowski** No karen dont you see joly the "alien " in navy. Andraea miss u too.

June 1, 2012 at 5:16pm Like

**Dana Seniw Jablonowski** One of these things just isnt the same....

June 1, 2012 at 5:17pm Like

**Cheryl Meyers** Is my mom giving birth?

June 1, 2012 at 5:17pm Like 1

**Brandy Punchello-Hyde** the things and people that make a rough day....sooooo much better...

June 1, 2012 at 7:57pm via mobile Like 1

**April OConnor McCuen** I should have gotten changed to match!!!! I hope all butts were extracted from all bed pans before yous decided to goof off!!!!

June 1, 2012 at 7:47pm Like 1

**Colleen Baumbach Zukowski** Someone should be touching maries baby belly. How could that be ignored?

June 1, 2012 at 6:41pm Like 1

**Maria Hahn** It is monstrous collaan. Ient. We do a convent...

User Log In

Tuportal

Blackboard Learn

Cannot Open Page

Beethoven, Ludwig...

x (3) Mobile Uplo... 0

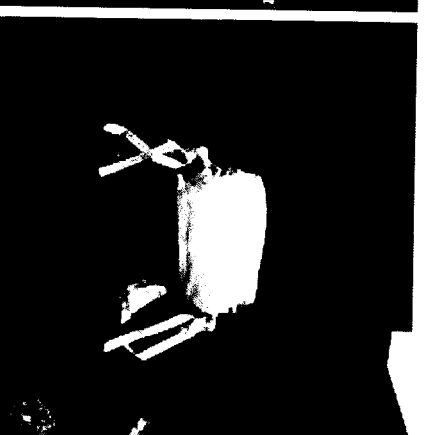
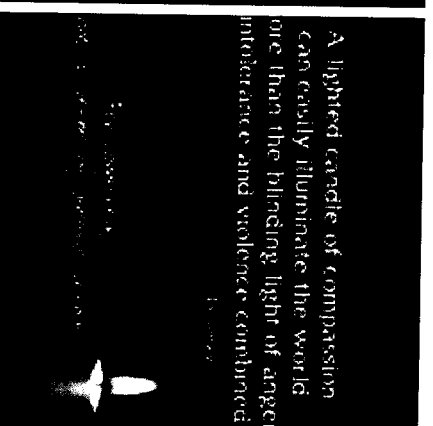
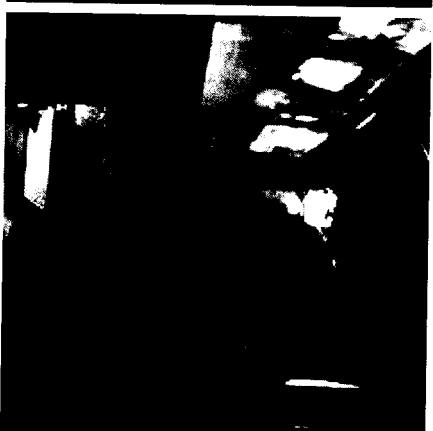
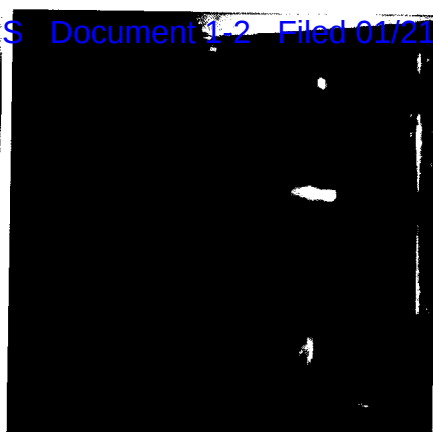


Holly Tucker Good Photos ▾

## Mobile Uploads

Updated about a month ago

+1 Add Friend



Share your Waldenu successes & connect with students & alumni from around the globe.

Like

Phyllis D. Lewhorn and Vicki Newton like

Walden University

Family Nurse Practitioner



Earn Your MS Online and Become a Family Nurse Practitioner. RN BSN Required. Get Info!

Stephanie Michelle likes

Nursing@Georgetown: Master's in Nursing Delivered Online

Drexel Nursing  
EDU Online  
drexel.com




Earn a BSN, MSN or Nursing Certificates on your time. Same programs as campus. Get info.

Spartan Race

Philly!

## Comments

 **Brandy Punchello-Hyde** was with Lisa Marr-Levin and 6 others at Out of Wack Jacks.

 2 people like this.

 **Brandy Punchello-Hyde** Julie pizzileo senew...too


Mar 1

 **Helene Elizabeth Ha** I wish!! I'm currently being pulled over for a red light! See ya soon!

Mar 1

 **Dawn Piccolo** Whatttt

Mar 1

 **Brandy Punchello-Hyde** Haha..blow him


Mar 1

 **Dawn Piccolo** Show him the cleavage

Mar 1

 **Pat J O'Connor** Oh boy. Lol

Mar 1

 **Dawn Piccolo** Pat let me guess your out celebrating national pig day

Mar 1

 **Pat J O'Connor** Mmmmmm bacon

 1 · Mar 2

 **Dawn Piccolo** Mmmmmmm hot dogs

Mar 2

January 13th, 2014

Dear Dr. Kaiser,

As you know, last March I wrote to you and asked for your assistance with all of the harassment and retaliation that I was dealing with at Jeanes Hospital all because I did not lie about a nurse who had been wrongly accused and fired. Many things have happened to me and the environment at Jeanes Hospital has been so hostile that it is making my work life miserable. In response to my letter to you, you had an investigation done by corporate Human Resources, however nothing was really done. In fact, in some ways it has made the situation worse, because the same managers who were targeting and harassing me before were so mad that I went to you and that Temple was investigating them, that they have going after me even more since then. They blocked my attempts to get a job at Temple and are constantly looking for things to write me up about. I am sure that what they really want to do is get me fired.

Brenna Woods understood what I was going through and arranged an interview at Temple Hospital to get me away from the hostile environment that all of the nurse managers have caused, but Daniel Meinel, my most current nurse manager stood around the corner in PACU where I was pulled and listened in on a private conversation between me and a nurse there and found out about my interview at Temple Hospital. At that point we had a meeting set up for Thursday to discuss an alleged medical error that I knew had nothing to do with me, and that had happened a month before. Ms. Meinel went running back to Denise Frasca and Joanne Bayard and told them of the interview and later that evening around 5:45 p.m. Mrs. Meinel and Ms. Bayard came into the PACU screaming at me in front of two patients and several of the nurses I worked with there that day. They purposefully humiliated me and Ms. Bayard said, "The meeting will be held now, right now, because my boss said so." I said that I would meet them when my union rep got there because they treat me so poorly. They never said they were going to write me up because the union rep was able to prove they were wrong, but while I was in the interview at Temple Hospital the next day they slipped it into my email and personnel file, and I was never told. The position was offered to me by the nurse manager at Temple Hospital, and she emailed human resources while I was still in her office. I found out the following day by your corporate office that I could not accept the position because of the write up. I was cleared finally two months later by Mary Fricker, Jeanes Risk Management Lawyer who went to a level two meeting between the union and Jeanes. It took all that time because the management at Jeanes wanted to make sure that Temple Hospital HR would not hear the case at the level three meeting which had been decided because your corporate office felt that Jeanes Hospital Human Resources would not provide a fair and unbiased hearing.

I had to hire a lawyer to get to this point. I am a single mother with a disabled son, and I also take care of my mother. I think the only reason that Mary Fricker was brought in is because Jeanes knew my lawyer was working to stop the unjust behaviors and was ready to take the whole matter to court. Now again, after going through literal hell there and going to work every day on egg shells while every other nurse and manager gets to go to work in a relaxed atmosphere, they continue to harass me in any way,

constantly having the nurse manager look through everything I do trying to find anything on me. I believe that because I stuck up for myself and did not lie against my former colleague and turned in those disgusting pictures to show the kind of place and behaviors that were being allowed, I have become a target and that Denise Frasca is determined to set me up and eventually fire me. The rumor that I was told in the hospital is that any manager that gets me on their floor, as I am frequently pulled to many other floors, are to make my life miserable and watch everything I do to try to get anything on me that they can. No one should have to endure this kind of work environment.

Recently I made a document error when I was pulled to the Telemetry floor. I had complained because the charge nurse gave me six patients while the regular nurses on that floor had four and five. No one on that floor would assist me even though they gave me their worst patient who demanded constant attention yelling and screaming all the time as well as telemetry patients and two other medical surgical patients, while their assignments were all light. I overheard them talking about how I am marked and I am a snitch and a rat. I made a documentation error, and two different supervisors looked over everything and said that it was just a documentation error and told me how to fix it, and this happens many times with doctors and nurses, and I did what they said. They told me I should not hear anything more about it. Now a week later the harassment started again when Bethanne, 4B manager told me there was a Midas filled out and she wanted to ask me about it, and I've gotten phone calls about how she has asked the nurses on night shift to write statements on what happened that night. I asked Bethanne and Danielle why they are doing this and they said that she has to investigate because of the Midas. I asked why none of my Midases were ever investigated, to which Bethanne said "I can do what I want." She is very hostile and belligerent with me. I also complained to Danielle about the overload of patients that weekend, and how I was treated and she told me, "tough", while a CNA from my floor was also treated poorly on 4B that weekend, yet they helped her but not me.

Dr. Kaiser, I am receiving phone calls from a nurse who told me that he/she has to cover themselves so they had to write a statement. If you can't see that this is a witch hunt I don't know what I can do to convince you that Jeanes managers and the human resources and some of the nurses on the floor are all very good friends and no matter how wrong it is, they will do whatever they are told to make sure they get their way. That Sunday on 4B the day after the documentation error the other nurses on the floor were calling me names and saying I was marked and to stay away from me. I was sickened and so upset I was throwing up and crying throughout the day. One of the nurses told me there it doesn't make a difference if you're right, you're marked and all of the managers have made it known throughout the hospital. I don't have a chance. I have been having panic attacks, chest pain, I feel like I can't breathe. I am responsible for taking care of my son and mom and I can't even help them. Jeanes is affecting my health and the health of my family. The constant phone calls from the managers calling me on my days off is beyond reprehensible. I fear for my job and I have no one that I can go to at Jeanes at all. I am ostracized.

I am asking you once again, can't you do something to stop this blatant retaliation and harassment and the campaign to ruin my career. Dr. Kaiser, could you go to work and be subjected to this kind of behavior for months? Would you like to work under these conditions? I need my job and my income to take care of my family. Also, they are trying to ruin my professional reputation, which until last March

was stellar. No one should have to work in an environment that is so hostile. So once again, I am letting you know what is going on and pleading with you to put a stop to this harassment against me.

Sincerely,

Ellen E. Betz, RN, BSN